

THE URBAN LAW FIRM

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Counsel for Counterclaim Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRUSTEES of the NORTHERN NEVADA
LABORERS HEALTH & WELFARE TRUST
FUND, CRAIG MADOLE, DAVE
BACKMAN, CRAIG HOLT, DAN RUSNAK,
ELOY JARA, RICHARD DALY; TRUSTEES
of the LABORERS PENSION TRUST FUND
FOR NORTHERN NEVADA, CRAIG
MADOLE, DAVE BACKMAN, CRAIG
HOLT, DAN RUSNAK, ELOY JARA,
RICHARD DALY; TRUSTEES of the
CONSTRUCTION WORKERS VACATION
SAVINGS TRUST PLAN, CRAIG MADOLE,
DAVE BACKMAN, CRAIG HOLT, DAN
RUSNAK, ELOY JARA, RICHARD DALY;
TRUSTEES of the LABORERS TRAINING
TRUST FOR NORTHERN NEVADA,
CRAIG MADOLE, DAVE ELIZONDO,
FRED REEDER, DAN RUSNAK, ELOY
JARA, RICHARD DALY; TRUSTEES of the
CEMENT MASONS ANNUITY TRUST
FUND FOR NORTHERN NEVADA, CRAIG
MADOLE, SHANE GLENN, KEVIN
LINDERMAN, MARC LEAVITT, THOMAS
NORTHRUP, JESSE BARAJAS; TRUSTEES
of the CEMENT MASONS JOINT
APPRENTICESHIP AND TRAINING
TRUST FUND, CRAIG MADOLE, KEVIN
LINDERMAN, SHANE GLENN, MARC
LEAVITT, THOMAS NORTHRUP, JAMES
OBREGON; TRUSTEES of the NORTHERN
NEVADA OPERATING ENGINEERS
HEALTH AND WELFARE TRUST FUND,
CRAIG MADOLE, FRED REEDER, LANCE
SEMENKO, STEVE INIGERSOLL, DYLAN
GALLAGHER, SCOTT FULLERTON;

Case No.: 3:17-cv-00577-RCJ-CBC

**STIPULATION AND ORDER FOR
WITHDRAWAL AND SUBSTITUTION
OF COUNSEL FOR COUNTERCLAIM
DEFENDANTS**

1 TRUSTEES of the OPERATING
2 ENGINEERS AND PARTICIPATING
3 EMPLOYERS PREAPPRENTICE,
4 APPRENTICE, AND JOURNEYMAN
5 AFFIRMATIVE ACTION TRAINING FUND
6 FOR NORTHERN NEVADA, CRAIG
7 MADOLE, FRED REEDER, LANCE
8 SEMENKO, STEVE INGERSOLL, DYLAN
9 GALLAGHER, SCOTT FULLERTON;
10 TRUSTEES of the OPERATING
11 ENGINEERS PENSION TRUST FUND,
12 JAMES MURRAY, KEVIN ALBANESE,
13 STEVE CLARK, F.G. CROSTHWAITE,
14 BRYAN FLAKE, THOMAS HOLSMAN,
15 LANCE INOUE, RICHARD PIOMBO,
16 TOM SQUERI, DAVID STANTON,
17 RUSSELL BURNS, MIKE CROLL, JUSTIN
18 DISTON, DAVID HARRISON, STEVE
19 INGERSOLL, PANE MEATOGA, JR.,
20 BRUCE NOEL, DAN REDING, JAMES
21 SULLIVAN, NATE TUCKER; TRUSTEES of
22 the OPERATING ENGINEERS VACATION
23 HOLIDAY AND SICK PAY TRUST FUND,
24 JAMES MURRAY, BRYAN FLAKE, LANCE
25 INOUE, TOM SQUERI, RUSSELL BURNS,
26 JUSTIN DISTON, STEVE INGERSOLL,
27 DAN REDING, JAMES SULLIVAN; and
28 TRUSTEES OF THE OPERATING
ENGINEERS PENSIONED HEALTH &
WELFARE TRUST FUND, JAMES
MURRAY, KEVIN ALBANESE, STEVE
CLARK, F.G. CROSTHWAITE, BRYAN
FLAKE, THOMAS HOLSMAN, LANCE
INOUE, RICHARD PIOMBO, TOM
SQUERI, DAVID STANTON, RUSSELL
BURNS, MIKE CROLL, JUSTIN DISTON,
DAVID HARRISON, STEVE INGERSOLL,
PANE MEATOGA, JR., BRUCE NOEL, DAN
REDING, JAMES SULLIVAN, NATE
TUCKER;

Plaintiffs,

vs.

KENNETH M. MERCURIO, an individual;
FAST-TRACK SERVICES, LTD., a Nevada

1 limited liability company; ALLEGHENY
2 CASUALTY COMPANY, a Pennsylvania
corporation; and DOES 1-10,

3 Defendants.

4 ALLEGHENY CASUALTY COMPANY,

5 Counterclaimant,

6 vs.
7

8 TRUSTEES of the NORTHERN NEVADA
9 LABORERS HEALTH & WELFARE TRUST
FUND; TRUSTEES of the LABORERS
10 PENSION TRUST FUND FOR NORTHERN
NEVADA; TRUSTEES of the
11 CONSTRUCTION WORKERS VACATION
SAVINGS TRUST PLAN; TRUSTEES of the
12 LABORERS TRAINING TRUST FOR
NORTHERN NEVADA; TRUSTEES of the
13 CEMENT MASONS ANNUITY TRUST
FUND FOR NORTHERN NEVADA;
14 TRUSTEES of the CEMENT MASONS
JOINT APPRENTICESHIP AND TRAINING
15 TRUST FUND; TRUSTEES of the
16 NORTHERN NEVADA OPERATING
ENGINEERS HEALTH AND WELFARE
17 TRUST FUND; TRUSTEES of the
18 OPERATING ENGINEERS AND
PARTICIPATING EMPLOYERS
19 PREAPPRENTICE, APPRENTICE, AND
JOURNEYMAN AFFIRMATIVE ACTION
20 TRAINING FUND FOR NORTHERN
NEVADA; TRUSTEES of the OPERATING
21 ENGINEERS PENSION TRUST FUND;
22 TRUSTEES of the OPERATING
ENGINEERS VACATION HOLIDAY AND
23 SICK PAY TRUST FUND; and TRUSTEES
OF THE OPERATING ENGINEERS
24 PENSIONED HEALTH & WELFARE
TRUST FUND; OPERATING ENGINEERS
25 LOCAL 12 TRUST FUNDS; SOUTHERN
26 NEVADA LABORERS LOCAL 872 TRUST
FUNDS; AND CARPENTERS SOUTHWEST
27 ADMINISTRATIVE CORPORATION; HD
SUPPLY; RAFAEL CONSTRUCTION, INC.;
28 INLINE DISTRIBUTION; CASHMAN

EQUIPMENT COMPANY; DISCOUNT
DUMPSTERS DBA WESTERN ELITE;
HERC RENTALS, INC.; 3D CONCRETE,
INC.; DOES I through X, inclusive; AND ROE
CORPORATIONS I through X, inclusive;

Counterdefendants

Pursuant to Local Rule IA 11-6(c), Counterclaim Defendants, Southern Nevada Laborers Local 872 Trust Funds,¹ through their counsel of record The Urban Law Firm, hereby stipulate and respectfully request that the Court allow the withdrawal of The Urban Law Firm and substitution of Brownstein Hyatt Farber Schreck, LLP as counsel of record for Counterclaim Defendants.

Dated: September 9, 2019

THE URBAN LAW FIRM

/s/ Nathan R. Ring

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Attorneys for Counterclaim Defendants

¹ The correct legal names of these trust funds are actually THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS HEALTH AND WELFARE TRUST; THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS JOINT PENSION TRUST; THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS VACATION TRUST; THE BOARD OF TRUSTEES OF SOUTHERN NEVADA LABORERS LOCAL 872 TRAINING TRUST

1 Dated: September 9, 2019

BROWNSTEIN HYATT FARBER SCHRECK, LLP

2 /s/ Adam P. Segal

3 Adam P. Segal, Esq., Nevada Bar No. 6120
4 Christopher M. Humes, Esq., Nevada Bar No. 12782
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9 *Substituting Attorney for Counterclaim Defendants*

10 Dated: September 9, 2019

/s/ Thomas White

11 Thomas White, Chairman
12 Laborers Joint Trust Funds
13 2345 Red Rock Street, Suite 300
14 Las Vegas, NV 89146
15 Telephone: (702) 318-6760
16 Facsimile: (702) 318-6761
17 *On behalf of the Counterclaim Defendants*

18 Dated: 9/11/2019

IT IS SO ORDERED:

19 

United States Magistrate Judge

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I certify that I am an employee of The Urban Law Firm and that on this 9th day of September, 2019, I served a true copy of the foregoing **STIPULATION AND ORDER FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL FOR COUNTERCLAIM DEFENDANTS** via the Court's CM/ECF system upon the following parties:

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Inc.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 /s/ April Denni
12 An employee of The Urban Law Firm